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Paper No. 14

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK NY 10112

**COPY MAILED**

**JAN 28 2008**

**OFFICE OF PETITIONS**

In re Application of	:	
Noribumi Koitabashi et al.	:	
Application No. 09/349,473	:	DECISION ON RENEWED PETITION
Filed: July 9, 1999	:	UNDER 37 C.F.R. § 1.181(A)
Attorney Docket No.: 1272.7910-	:	
DI	:	
Title: INK-JET APPARATUS	:	
EMPLOYING INK-JET HEAD HAVING A	:	
PLURALITY OF INK EJECTION	:	
HEATERS CORRESPONDING TO EACH	:	
INK EJECTION OPENING	:	

This is a decision on the renewed petition pursuant to 37 C.F.R. § 1.181(a), filed on November 16, 2007.

The above-identified application became abandoned for failure to submit the issue fee and drawings in a timely manner in reply to the Notice of Allowance and Issue Fee Due, mailed September 8, 2000, which set a shortened statutory period for reply of three months. No extensions of time are permitted for transmitting formal drawings or issue fees<sup>1</sup>. Accordingly, the above-identified application became abandoned on December 9, 2000. A Notice of Abandonment was mailed on March 20, 2001.

The original petition was filed on September 20, 2006, and dismissed via the mailing of a decision on August 16, 2007. It is noted that along with this renewed petition, Petitioner has

<sup>1</sup> See MPEP § 710.02(e).

Decision on Petition under 37 C.F.R. § 1.181(a)

submitted a one-month extension of time so as to make timely this response.

The proper correspondence address has been made of record.

Considering the facts and circumstances of the delay at issue, as set forth on petition, it is concluded that Petitioner has met his burden of establishing that the mailing was not received.

Accordingly, the petition under 37 C.F.R. § 1.181(a) is GRANTED. The holding of abandonment is WITHDRAWN.

The Office of Patent Publication will be notified of this decision. The Office of Patent Publication will re-mail the Notice of Allowance and Issue Fee Due of September 8, 2000, and will set a new period for response.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225<sup>2</sup>. All other inquiries concerning the status of the application should be directed to the Office of Patent Publication at 571-272-4200.



Paul Shanowski  
Senior Attorney  
Office of Petitions

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<sup>2</sup> Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.

## Correspondence Address

Customer Number

05514

Change Reason

Applicant Request

## Directly Supplied

Name \*

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## Other Contact Information:

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Last Modification

PSHANOSKI

01/27/2008

No changes to the Correspondence Address were supplied.

pschanoski

01/27/2008